

AF 1 1652
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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	09/642,218	
	Filing Date	August 18, 2000	
	First Named Inventor	Olga Yurieva	
	Group Art Unit	1652	
	Examiner Name	R.G. Hutson	
Total Number of Pages in This Submission	3	Attorney Docket Number	2221/1050 (RU 339)

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply (\$_____) <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request (\$_____) <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement (\$_____) <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Notice to File Missing Parts/ Incomplete Application (\$_____) <input type="checkbox"/> A copy of the Notice to File Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Declaration and Power of Attorney <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition (\$_____) <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer (\$_____) <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (\$_____) (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Application Data Sheet <input type="checkbox"/> Request for Corrected Filing Receipt with Enclosures <input checked="" type="checkbox"/> A self-addressed, prepaid postcard for acknowledging receipt <input checked="" type="checkbox"/> Check in the amount of \$1,270.00 <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Notice of Appeal and Request for Three Month Extension of Time (\$1,270.00)
Remarks	<input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees required or credit any overpayments to Deposit Account No. 14-1138 for the above identified docket number.	

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Edwin V. Merkel Nixon Peabody LLP Clinton Square, P.O. Box 31051 Rochester, New York 14603-1051 Telephone: (585) 263-1128 Fax: (585) 263-1600
Signature	 Registration No. 40,087
Date	January 30, 2006

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<u>1/30/06</u> Date	 Signature Laura L. Trost Typed or printed name



PATENT
Docket No.: 22221/1050 (RU 339)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants	:	Yurieva et al.)	Examiner:
)	R. Hutson
Serial No.	:	09/642,218)	
)	Art Unit:
Cnfrm. No.	:	6461)	1652
)	
Filed	:	August 18, 2000)	
)	
For	:	ENZYME DERIVED FROM)	
		THERMOPHILIC ORGANISMS THAT)	
		FUNCTIONS AS A CHROMOSOMAL)	
		REPLICASE, AND PREPARATION AND)	
		USES THEREOF)	

**NOTICE OF APPEAL AND REQUEST FOR
THREE-MONTH EXTENSION OF TIME**

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the Primary Examiner's decision dated July 28, 2005, finally rejecting claims 7, 22, 28, 29, 81, 83-86, 88, and 89.

Applicants hereby request an extension of time of three months from the due date of October 28, 2005. Given that the statutory deadline (January 28, 2006) fell on a Saturday, this extension of time request is timely. See 37 C.F.R. § 1.7(a).

Enclosed is a check in the amount of \$1,270, which covers the \$250 cost of the appeal fee and the \$1,020 cost of the extension of time. Please charge any additional fees which may be required or credit any overpayment to Deposit Account No. 14-1138.

02/02/2006 SFELEKE1 00000049 09642218

01 FC:2401 250.00 OP
02 FC:1253 1020.00 OP

02/03/2006 SFELEKE1 00000098 141138 09642218

01 FC:1401 250.00 DA 250.00 OP

A duplicate copy of this form is attached.

Respectfully submitted,

Date: January 30, 2006

Edwin V. Merkel
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Registration No. 40,087

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1/30/06
Date

Laura L. Trost
Signature

Laura L. Trost
Type or Print Name